

REMARKS

Summary of the Amendment

Upon entry of the above amendment, the specification and claims 1, 3, 11, 14, 21-27 and 29 will have been amended. Claims 31 and 32 will have been added. Accordingly, claims 1-32 will be pending with claims 1, 23 and 25 being in independent form.

Summary of the Official Action

In the instant Office Action, the Examiner objected to claims 3, 11 and 21. Additionally, the Examiner rejected claims 1-22, 24 and 29 as failing to comply with the enablement requirement. The Examiner also rejected claims 1-20, 24 and 29 as indefinite. Finally, the Examiner rejected claims 1-30 over the art of record. By the present amendment and remarks, Applicant submits that the objections and rejections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

Interview of January 26, 2006

Applicant appreciates the courtesy extended by Examiner Maki in the interview of January 26, 2006. In that interview, Applicant's representative discussed, among other things, that the formal objections would be overcome by correcting the noted informalities in the claims and by amending the specification and claims to correct the formulas. Applicant's representative explained in particular that the priority document (e.g., original

P25264.A02

claim 1 and the Abstract thereof) provides clearly support for changing the portion of the equations within the brackets from $(D_R - 100)$ to $(D_R / 100)$. Furthermore, as the recited equations having the portion $(D_R - 100)$ do not produce a true ratio and as the correct portion $(D_R / 100)$ does produce a true ratio, one of ordinary skill in the art would recognize this typographical error and realize that the correct term is $(D_R / 100)$.

In response, the Examiner acknowledged that Applicant had expressly incorporated by reference the priority document and that an amendment to the claims and the specification which changes the term $1 - (D_R - 100)$ to $1 - (D_R / 100)$ in the equations could be found to be supported by the originally filed disclosure. However, the Examiner expressed concern that even if the equations were so amended, they would produce values which were less than one, i.e., 0.30 to 0.79 for a 14" rim diameter, and that this was inconsistent with the dimension Y being greater than the dimension X, as shown in the drawings.

Applicant's representative explained that the Examiner did not appreciate that the equations in fact only have two terms whose product produces the ratio values, i.e., the first term is $1 - (D_R / 100)$ and the second term is 1.5, or 5, or 3.3. The ratio value is simply the product of these two terms. Thus, in solving the equations, one first divides the rim diameter by 100 and subtracts this value from 1 – thereby producing a fraction or percentage value for the first term. Only, then is the value of this term multiplied by the second term.

When the equations are solved in this manner, they clearly produce true ratios:

D_R	Value for $1 - (D_R / 100) \times 1.5$	Value for $1 - (D_R / 100) \times 5$
14"	1.29	4.3
15"	1.275	4.25

P25264.A02

16"	1.26	4.2
17"	1.245	4.15

Applicant also pointed out that the specification and, e.g., original claims 4-6, provide clear support for the value D_R being in inches and that a ratio does not have or require units.

In response to these arguments, the Examiner agreed to consider Applicant's arguments with regard to the equations after Applicant filed a response to the instant Office Action and after Applicant properly explained how the equations are properly interpreted.

Applicant's representative also pointed out that the applied prior art failed to disclose or suggest a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, that each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, and that each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction.

P25264.A02

It was specifically pointed out how each of these documents lacks this combination of features.

The Examiner responded by indicating that he would reconsider the rejection in view of such claim amendments upon the filing of Applicant's response.

Objections to the Claims are moot

The Examiner objected to claim 3 because it recites the term "ration" instead of "ratio". The Examiner also objected to claim 11 as being substantially duplicative of claim 10. Finally, the Examiner objected to claim 21 because it improperly broadens a claim from which it depends.

While Applicant disagrees with at least the latter assertion, Applicant has herein amended the claims in a manner which is believed to resolve each of the asserted bases of objection. In particular, claim 3 was amended to replace the term "ration" with "ratio". Claim 11 has been amended in a manner which recites different claim scope than claim 10. Claim 21 has been amended to clarify that the range of the dependent claim is narrower than the range of the claim from which it depends.

In view of the above, Applicant requests that the Examiner reconsider and withdraw the objection to the drawings and indicate that the drawings are acceptable under the Patent Office Rules.

Traversal of the Section 112, first paragraph, Rejection

Claims 1-22, 24 and 29 were rejected under 35 U.S.C. § 112, first paragraph, as

P25264.A02

failing to comply with the enablement requirement. Applicant submits that this basis of rejection is moot.

The Examiner asserts that the above-noted claims are non-enabled because the recited formulas produce values which are not true ratios, are inconsistent with the Y and X dimensions shown in the drawings, and because the specification does not specify the units for the formula.

As explained in the Interview, Applicant has recognized that the formulas contained a typographical error and has herein corrected the same. Furthermore, as explained above, Applicant submits that there is full and clear support in the priority document for correcting the formula and that no new matter is introduced into the instant application because the priority document was expressly incorporated by reference in its entirety.

Accordingly, Applicant has herein amended the specification and claims to change the term $1-(D_R - 100)$ to $1-(D_R / 100)$ in the equations. When the equations are solved in this manner, they clearly produce true ratios which are entire consistent with the dimension Y being greater than the dimension X. For example, using the rim sizes recited in claim 4, one can see that the ranges for the equations recited in claim 1 would be as follows:

D_R	Value for $1 - (D_R / 100) \times 1.5$	Value for $1 - (D_R / 100) \times 5$
14"	1.29	4.3
15"	1.275	4.25
16"	1.26	4.2
17"	1.245	4.15

Thus, Applicant respectfully submits that each feature recited in these claims finds full and clear support in the original disclosure and the claims are fully enabled.

P25264.A02

In view of the above explanation, the Examiner is respectfully requested to withdraw the above-noted rejection.

Traversal of the Indefiniteness Rejection

Claims 1-20, 24 and 29 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant respectfully disagrees with the Examiner's assertions.

The Examiner asserts that it is not clear what the units for D_R are intended to be. Applicant respectfully disagrees. Claims 4-6 clearly recite that the units for D_R are in inches.

The Examiner also asserts that it is not apparent that the first and second angles in claims 19-21 are consistent with the drawings. Applicant do not disagree. Accordingly, Applicant has herein amended claim 19 to address this basis of rejection. Specifically, claim 19 has been amended to recite that the indents 15 are angled relative to a radial plane, i.e., a plane that extends from an axis of the tire and radially outwards.

In view of the above explanation, the Examiner is respectfully requested to withdraw the above-noted rejection.

Traversal of Rejections Under 35 U.S.C. § 102

Over Rohweder

Applicant traverses the rejection of claims 1-9, 14 and 19-24 under 35 U.S.C. § 102(b) as being anticipated by US patent 6,105,643 to ROHWEDER et al.

The Examiner asserted that this document discloses all the features recited in these claims including the recited grooves, blocks and diagonal grooves. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses, Applicant submits that this document fails to disclose, or even suggest: inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1; and inter alia, a tread rubber profile comprising a center circumferential groove, a left side

P25264.A02

shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 23.

Applicant acknowledges that ROHWEDER discloses a tire having a center groove 56, center block rows 3 and 4, shoulder block rows 2 and 5, and first and second circumferential grooves 54 and 55 (see Fig. 3). However, it is clear from a fair review of the disclosure of this document that ROHWEDER does not disclose, or even suggest, among other things recited in claims 1 and 23, that each of the center, the first, and the second circumferential grooves have groove edges such that a plane which is perpendicular to the

P25264.A02

axis of rotation of the tire is located between the groove edges without intersecting the groove edges and/or that each of the center, the left side, and the right side circumferential grooves have groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges. To the contrary, it is clear from Fig. 3 that at least the center groove 56 is not a straight circumferential groove, i.e., a groove having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges.

It is also apparent that ROHWEDER fails to show a tread wherein each diagonal groove is a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, such that each diagonal groove runs essentially continuously up to and beyond the respective tire edge.

Thus, Applicant submits that the above-noted claims are not disclosed, or even suggested, by any proper reading of ROHWEDER.

Applicant further notes that, for an anticipation rejection under 35 U.S.C. § 102 to be proper, each element of the claim in question must be disclosed in a single document, and if the document relied upon does not do so, then the rejection must be withdrawn.

Because the applied document fails to disclose or suggest at least the above-noted features of the instant invention, Applicant submits that any proper reading of this document fails to render unpatentable the combination of features recited in at least independent claims 1 and 23.

Moreover, Applicant submits that dependent claims 2-9, 14, 19-22 and 24 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper reading of ROHWEDER discloses or suggests, in combination: that the vehicle tire is a winter tire as recited in claim 2; that the ratio comprises approximately $1 - (D_R / 100) \times 3.3$ as recited in claim 3; that D_R comprises one of 14 inches, 15 inches, 16 inches and 17 inches as recited in claim 4; that D_R comprises a value between 12 inches and 21 inches as recited in claim 5; that D_R comprises a value greater than 13 inches as recited in claim 6; that each of the plurality of fine indents of the blocks of the pair of center block rows have one of a stepped configuration and a saw-toothed configuration as recited in claim 7; that each of the plurality of fine indents of the blocks of the pair of center block rows comprise long sections running at least essentially in a crosswise direction and short sections as recited in claim 8; that the long sections are alternating consecutive long sections as recited in claim 9; that the central circumferential groove forms an axis of symmetry of the tread rubber profile as recited in claim 14; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at a first angle relative to a radial plane of the tire and wherein the plurality of fine indents of the blocks of the pair of center block rows are oriented at a second angle relative to a radial plane of the tire, and wherein the first and second angles comprise values which are between approximately 5 degrees and approximately 15 degrees as recited in claim 19; that the first and second angles comprise a value which is approximately 10 degrees as recited in claim 20; that the first and second angles comprise a value which is between

P25264.A02

approximately 5 degrees and approximately 10 degrees as recited in claim 21; and that each diagonal groove is both a continuously curved groove and a swept-back groove as recited in claim 22; that a ratio of the width Y to the width X is between approximately $1 - (D_R / 100) \times 1.5$ and approximately $1 - (D_R / 100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 24.

Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 102(b).

Over JP 1-195103

Applicant traverses the rejection of claims 1-3, 14, 17, 19 and 21-30 under 35 U.S.C. § 102(b) as being anticipated by JP 1-195103.

The Examiner asserted that this document discloses all the features recited in these claims including the recited grooves, blocks and diagonal grooves. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses, Applicant submits that this document fails to disclose, or even suggest: inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block

P25264.A02

rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1; inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously

P25264.A02

curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 23; and inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 25.

Applicant acknowledges that JP '103 discloses a tire having a center groove (the zigzag groove between blocks 13A and 13B, center block rows 12A, shoulder block rows 12B and 12C, and first and second circumferential grooves 11A and 11B (see Fig. 1). However, it is clear from a fair review of the disclosure of this document that JP '103 does not disclose, or even suggest, among other things recited in claims 1, 23 and 25, that each of the center, the first, and the second circumferential grooves have groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges and/or that each of the center, the left side, and the right side circumferential grooves have groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges. To the contrary, it is clear from Fig. 1 that at least the center groove is not a straight circumferential groove, i.e., a groove having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges.

It is also apparent that JP '103 fails to show a tread wherein each diagonal groove is a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, such that each diagonal groove runs essentially continuously up to and beyond the respective tire edge.

Thus, Applicant submits that the above-noted claims are not disclosed, or even suggested, by any proper reading of JP '103.

Because the applied document fails to disclose or suggest at least the above-noted features of the instant invention, Applicant submits that any proper reading of this

P25264.A02

document fails to render unpatentable the combination of features recited in at least independent claims 1, 23 and 25.

Moreover, Applicant submits that dependent claims 2, 3, 14, 17, 19, 21, 22, 24 and 26-30 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper reading of JP '103 discloses or suggests, in combination: that the vehicle tire is a winter tire as recited in claim 2; that the ratio comprises approximately $1 - (D_R / 100) \times 3.3$ as recited in claim 3; that the central circumferential groove forms an axis of symmetry of the tread rubber profile as recited in claim 14; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at an angle of between approximately 70 degrees and approximately 85 degrees relative to the circumferential direction as recited in claim 17; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at a first angle relative to a radial plane of the tire and wherein the plurality of fine indents of the blocks of the pair of center block rows are oriented at a second angle relative to a radial plane of the tire, and wherein the first and second angles comprise values which are between approximately 5 degrees and approximately 15 degrees as recited in claim 19; that the first and second angles comprise a value which is between approximately 5 degrees and approximately 10 degrees as recited in claim 21; and that each diagonal groove is both a continuously curved groove and a swept-back groove as recited in claim 22; that a ratio of the width Y to the width X is between approximately $1 - (D_R / 100) \times 1.5$ and approximately $1 - (D_R / 100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as

P25264.A02

recited in claim 24; that the continuously curved diagonal grooves comprise a width that is less than a width of either of the center circumferential groove and the left and right side circumferential grooves as recited in claim 26; that each of the blocks comprise edges delineating the continuously curved diagonal grooves which are oriented at an angle that is not perpendicular to a circumferential direction as recited in claim 27; that each of the blocks comprises a plurality of fine indents running generally parallel to one another as recited in claim 28; that a ratio of the width Y to the width X is between approximately $1 - (D_R / 100) \times 1.5$ and approximately $1 - (D_R / 100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 29; and that the vehicle tire is a winter tire as recited in claim 30.

Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 102(b).

Over Colombo

Applicant traverses the rejection of claims 1-6, 14, 18, 19 and 22-30 under 35 U.S.C. § 102(a,b) as being anticipated by WO 02/068222 to COLOMBO et al.

The Examiner asserted that this document discloses all the features recited in these claims including the recited grooves, blocks and diagonal grooves. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses, Applicant submits that this document fails to disclose, or even suggest: inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves,

P25264.A02

two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1; inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having

P25264.A02

groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 23; and inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove

P25264.A02

running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 25.

Applicant acknowledges that COLOMBO discloses a tire having a center groove 15, center block rows 18 and 19, shoulder block rows 20 and 21, and first and second circumferential grooves 16 and 17 (see Fig. 2). However, it is clear from a fair review of the disclosure of this document that COLOMBO does not disclose, or even suggest, among other things recited in claims 1, 23 and 25, that the diagonal grooves are swept grooves and/or a continuously curved grooves that extend from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, and/or the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row. To the contrary, Fig. 2 of COLOMBO merely shows separate non-continuous and partially curved

P25264.A02

diagonal grooves in and between the blocks 18 and 20 and in and between blocks 19 and 21.

Thus, Applicant submits that the above-noted claims are not disclosed, or even suggested, by any proper reading of COLOMBO.

Because the applied document fails to disclose or suggest at least the above-noted features of the instant invention, Applicant submits that any proper reading of this document fails to render unpatentable the combination of features recited in at least independent claims 1, 23 and 25.

Moreover, Applicant submits that dependent claims 2-6, 14, 18, 19, 22, 24 and 26-30 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper reading of JP '103 discloses or suggests, in combination: that the vehicle tire is a winter tire as recited in claim 2; that the ratio comprises approximately $1 - (D_R / 100) \times 3.3$ as recited in claim 3; that D_R comprises one of 14 inches, 15 inches, 16 inches and 17 inches as recited in claim 4; that D_R comprises a value between 12 inches and 21 inches as recited in claim 5; and that D_R comprises a value greater than 13 inches as recited in claim 6. that the central circumferential groove forms an axis of symmetry of the tread rubber profile as recited in claim 14; that the plurality of fine indents of the blocks of the pair of center block rows are oriented at an angle of between approximately 80 degrees and approximately 90 degrees relative to the circumferential direction as recited in claim 18; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at a first angle relative to

P25264.A02

a radial plane of the tire and wherein the plurality of fine indents of the blocks of the pair of center block rows are oriented at a second angle relative to a radial plane of the tire, and wherein the first and second angles comprise values which are between approximately 5 degrees and approximately 15 degrees as recited in claim 19; that the first and second angles comprise a value which is between approximately 5 degrees and approximately 10 degrees as recited in claim 21; and that each diagonal groove is both a continuously curved groove and a swept-back groove as recited in claim 22; that a ratio of the width Y to the width X is between approximately $1 - (D_R/100) \times 1.5$ and approximately $1 - (D_R/100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 24; that the continuously curved diagonal grooves comprise a width that is less than a width of either of the center circumferential groove and the left and right side circumferential grooves as recited in claim 26; that each of the blocks comprise edges delineating the continuously curved diagonal grooves which are oriented at an angle that is not perpendicular to a circumferential direction as recited in claim 27; that each of the blocks comprises a plurality of fine indents running generally parallel to one another as recited in claim 28; that a ratio of the width Y to the width X is between approximately $1 - (D_R/100) \times 1.5$ and approximately $1 - (D_R/100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 29; and that the vehicle tire is a winter tire as recited in claim 30.

Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 102(b).

Traversal of Rejection Under 35 U.S.C. § 102/103

Applicant traverses the rejection of claims 1-3, 7, 8, 14 and 22-30 under 35 U.S.C. § 102(b) as anticipated by or alternatively under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,198,047 to GRAAS et al.

The Examiner asserted that this document discloses all the features recited in these claims including the recited grooves, blocks and diagonal grooves. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what this document discloses, Applicant submits that this document fails to disclose, or even suggest: inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and

P25264.A02

beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1; inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 23; and inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side

P25264.A02

circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 25.

Applicant acknowledges that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3). However, it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claims 1, 23 and 25, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially

P25264.A02

continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. In contrast, Fig. 3 of GRAAS, shows separate, non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

Nor has the Examiner identified any prior art which would cure at least these deficiencies so as to support an obviousness rejection.

Thus, Applicant submits that the above-noted claims are not disclosed, or even suggested, by any proper reading of GRAAS.

Because the applied document fails to disclose or suggest at least the above-noted features of the instant invention, Applicant submits that any proper reading of this document fails to render unpatentable the combination of features recited in at least independent claims 1, 23 and 25.

Moreover, Applicant submits that dependent claims 2, 3, 7, 8, 14, 22, 24 and 26-30 are allowable at least for the reason that these claims depend from allowable base claims and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper reading of JP '103 discloses or suggests, in combination: that the vehicle tire is a winter tire as recited in claim 2; that the ratio comprises approximately $1 - (D_R / 100) \times 3.3$ as recited in claim 3; that each of the plurality of fine indents of the blocks of the pair of center block rows have one of a stepped configuration and a saw-toothed configuration as recited in claim 7; that each of the plurality of fine indents of the blocks of the pair of center block rows comprise long sections

P25264.A02

running at least essentially in a crosswise direction and short sections as recited in claim 8; that the central circumferential groove forms an axis of symmetry of the tread rubber profile as recited in claim 14; that the first and second angles comprise a value which is between approximately 5 degrees and approximately 10 degrees as recited in claim 21; and that each diagonal groove is both a continuously curved groove and a swept-back groove as recited in claim 22; that a ratio of the width Y to the width X is between approximately $1 - (D_R / 100) \times 1.5$ and approximately $1 - (D_R / 100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 24; that the continuously curved diagonal grooves comprise a width that is less than a width of either of the center circumferential groove and the left and right side circumferential grooves as recited in claim 26; that each of the blocks comprise edges delineating the continuously curved diagonal grooves which are oriented at an angle that is not perpendicular to a circumferential direction as recited in claim 27; that each of the blocks comprises a plurality of fine indents running generally parallel to one another as recited in claim 28; that a ratio of the width Y to the width X is between approximately $1 - (D_R / 100) \times 1.5$ and approximately $1 - (D_R / 100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 29; and that the vehicle tire is a winter tire as recited in claim 30.

Applicant requests that the Examiner reconsider and withdraw the rejection of the above-noted claims under 35 U.S.C. § 102(b)/103(a).

Traversal of Rejections Under 35 U.S.C. § 103(a)

Over Graas with Colombo

P25264.A02

Applicant respectfully traverses the rejection of claims 4-6 under 35 U.S.C. § 103(a) as unpatentable over GRAAS in view of WO 02/068222 to COLOMBO et al.

The Examiner acknowledged that GRAAS lacks, among other things, the recited rim sizes. However, the Examiner asserted that these features are obvious and suggested by COLOMBO. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests, inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially

P25264.A02

continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1.

As explained above, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely shows separate non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

With regard to COLOMBO, Applicant acknowledges that this document discloses a tire having a center groove 15, center block rows 18 and 19, shoulder block rows 20 and 21, and first and second circumferential grooves 16 and 17 (see Fig. 2). However, it is clear from a fair review of the disclosure of this document that COLOMBO does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from

P25264.A02

the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 2 of COLOMBO merely shows separate non-continuous and partially curved diagonal grooves in and between the blocks 18 and 20 and in and between blocks 19 and 21.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least amended independent claim 1. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of GRAAS and COLOMBO can render unpatentable the combination of features recited in at least independent claim 1.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Applicant directs the Examiner's attention to the guidelines identified in M.P.E.P section 2141 which state that "[i]n determining the propriety of the Patent Office case for obviousness in the first instance, it is necessary to ascertain whether or not the reference

teachings would appear to be sufficient for one of ordinary skill in the relevant art having the reference before him to make the proposed substitution, combination, or other modification." *In re Linter*, 458 F.2d 1013, 1016, 173 USPQ 560, 562 (CCPA 1972).

As this section clearly indicates, "[o]bviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992)."

Moreover, it has been legally established that "[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990) Although a prior art device 'may be capable of being modified to run the way the apparatus is claimed, there must be a suggestion or motivation in the reference to do so.' 916 F.2d at 682, 16 USPQ2d at 1432.). See also *In re Fritch*, 972 F.2d 1260, 23 USPQ2d 1780 (Fed. Cir. 1992) (flexible landscape edging device which is conformable to a ground surface of varying slope not suggested by combination of prior art references)."

Additionally, it has been held that a statement that modifications of the prior art to meet the claimed invention would have been "well within the ordinary skill of the art at the time the claimed invention was made" because the references relied upon teach that all aspects of the claimed invention were individually known in the art is not sufficient to

P25264.A02

establish a prima facie case of obviousness without some objective reason to combine the teachings of the references. *Ex parte Levengood*, 28 USPQ2d 1300 (Bd. Pat. App. & Inter. 1993).

Finally, Applicant submits that dependent claims 4-6 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of GRAAS and COLOMBO discloses or suggests, in combination: that D_R comprises one of 14 inches, 15 inches, 16 inches and 17 inches as recited in claim 4; that D_R comprises a value between 12 inches and 21 inches as recited in claim 5; and that D_R comprises a value greater than 13 inches as recited in claim 6.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

Over Graas with Rodewald

Applicant respectfully traverses the rejection of claim 13 under 35 U.S.C. § 103(a) as unpatentable over GRAAS in view of EP 0 846 577 to RODEWALD.

The Examiner acknowledged that GRAAS lacks, among other things, the recited fine indent widths. However, the Examiner asserted that these features are obvious as suggested by RODEWALD. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests, inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1.

Again, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the

disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely shows separate non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

With regard to RODEWALD, Applicant acknowledges that this document appears to disclose a tire having center rows, shoulder block rows, and first and second circumferential grooves (see Fig. 4). However, it is apparent from a fair review of the drawings of this document that RODEWALD does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 4 of RODEWALD does not shows any diagonal grooves passing through the center rows and shows non-swept and straight non-curved diagonal grooves in the shoulder block rows.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest

P25264.A02

the features recited in at least amended independent claim 1. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of GRAAS and RODEWALD can render unpatentable the combination of features recited in at least independent claim 1.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claim 13 is allowable at least for the reason that this claim depends from an allowable base claim and because this claim recites additional features that further define the present invention. In particular, Applicant submits that no proper combination of GRAAS and RODEWALD discloses or suggests, in combination: that a width of the plurality of fine indents of the blocks of the two shoulder block rows is narrower than a width of the plurality of fine indents of the blocks of the pair of center block rows as recited in claim 13.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that this claim is allowable over the applied art of record.

Over Graas with JP 5-319024

Applicant respectfully traverses the rejection of claims 15 and 16 under 35 U.S.C. § 103(a) as unpatentable over GRAAS in view of JP 5-319024.

The Examiner acknowledged that GRAAS lacks, among other things, the recited spacing. However, the Examiner asserted that these features are obvious and suggested by JP '024. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests, inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center

P25264.A02

circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1.

Again, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely shows separate non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

With regard to JP '024, Applicant acknowledges that this document apparently discloses a tire having a center groove, center block rows, shoulder block rows, and first and second circumferential grooves (see Fig. 5). However, it is clear from a fair review of the disclosure of this document that JP '024 does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves

P25264.A02

and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 5 of JP '024 merely shows separate non-continuous and non-curved diagonal grooves in and between the center block rows and the shoulder block rows.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least amended independent claim 1. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of GRAAS and JP '024 can render unpatentable the combination of features recited in at least independent claim 1.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claims 15 and 16 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular,

P25264.A02

Applicant submits that no proper combination of GRAAS and JP '024 discloses or suggests, in combination: that at least some of the blocks arranged on opposite sides of the central circumferential groove are spaced from the axis of symmetry between approximately 5 mm and approximately 50 mm as recited in claim 15; and that at least some of the blocks arranged on opposite sides of the central circumferential groove are spaced from the axis of symmetry by approximately 11.5 mm as recited in claim 16.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

Over Colombo with Graas

Applicant respectfully traverses the rejection of claims 1-6, 14 and 17-30 under 35 U.S.C. § 103(a) as unpatentable over COLOMBO and optionally in view of GRAAS.

The Examiner acknowledged that COLOMBO lacks, among other things, the recited center block row widths and the rim sizes. However, the Examiner asserted that these features are obvious and suggested by GRAAS. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents disclose or suggests: inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows

P25264.A02

arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1; inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of

P25264.A02

rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 23; and inter alia, a tread rubber profile comprising a center circumferential groove, a left side shoulder block row, a right side shoulder block row, a left side inner block row and a right side inner block row, a left side circumferential groove and a right side circumferential groove, wherein the left side circumferential groove is arranged between the left side inner block row and the left side shoulder block row and wherein the right side circumferential groove is arranged between the right side inner block row and the right side shoulder block row, each of the center, the left side, and the right side circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each of the left and right side shoulder block rows and each of the left and right side inner block rows comprising blocks, the blocks being defined by continuously curved diagonal grooves that extend from the center circumferential groove to a respective tire edge, each continuously curved diagonal groove running essentially continuously up to and beyond the respective tire

P25264.A02

edge, whereby left side continuously curved diagonal grooves pass through the left side inner block row and the left side shoulder block row and whereby right side continuously curved diagonal grooves pass through the right side inner block row and the right side shoulder block row, as recited in independent claim 25.

As explained above, Applicant acknowledges that COLOMBO discloses a tire having a center groove 15, center block rows 18 and 19, shoulder block rows 20 and 21, and first and second circumferential grooves 16 and 17 (see Fig. 2). However, it is clear from a fair review of the disclosure of this document that COLOMBO does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 2 of COLOMBO merely shows separate non-continuous and partially curved diagonal grooves in and between the blocks 18 and 20 and in and between blocks 19 and 21.

Furthermore, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or

P25264.A02

continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely shows separate non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least amended independent claims 1, 23 and 25. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of COLOMBO and GRAAS can render unpatentable the combination of features recited in at least independent claims 1, 23 and 25.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claims 2-6, 14, 17-22, 24 and 26-30 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present

invention. In particular, Applicant submits that no proper combination of COLOMBO and GRAAS discloses or suggests, in combination: that the vehicle tire is a winter tire as recited in claim 2; that the ratio comprises approximately $1 - (D_R / 100) \times 3.3$ as recited in claim 3; that D_R comprises one of 14 inches, 15 inches, 16 inches and 17 inches as recited in claim 4; that D_R comprises a value between 12 inches and 21 inches as recited in claim 5; that D_R comprises a value greater than 13 inches as recited in claim 6. that the central circumferential groove forms an axis of symmetry of the tread rubber profile as recited in claim 14; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at an angle of between approximately 70 degrees and approximately 85 degrees relative to the circumferential direction as recited in claim 17; that the plurality of fine indents of the blocks of the pair of center block rows are oriented at an angle of between approximately 80 degrees and approximately 90 degrees relative to the circumferential direction as recited in claim 18; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at a first angle relative to a radial plane of the tire and wherein the plurality of fine indents of the blocks of the pair of center block rows are oriented at a second angle relative to a radial plane of the tire, and wherein the first and second angles comprise values which are between approximately 5 degrees and approximately 15 degrees as recited in claim 19; that the first and second angles comprise a value which is between approximately 5 degrees and approximately 10 degrees as recited in claim 21; and that each diagonal groove is both a continuously curved groove and a swept-back groove as recited in claim 22; that a ratio of the width Y to the width X is between approximately $1 - (D_R / 100) \times 1.5$ and approximately $1 - (D_R / 100) \times 5$, whereby

P25264.A02

D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 24; that the continuously curved diagonal grooves comprise a width that is less than a width of either of the center circumferential groove and the left and right side circumferential grooves as recited in claim 26; that each of the blocks comprise edges delineating the continuously curved diagonal grooves which are oriented at an angle that is not perpendicular to a circumferential direction as recited in claim 27; that each of the blocks comprises a plurality of fine indents running generally parallel to one another as recited in claim 28; that a ratio of the width Y to the width X is between approximately $1 - (D_R/100) \times 1.5$ and approximately $1 - (D_R/100) \times 5$, whereby D_R represents a diameter of a rim to which the vehicle tire can be connected as recited in claim 29; and that the vehicle tire is a winter tire as recited in claim 30.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

Over Colombo with Graas and Polzlbauer

Applicant respectfully traverses the rejection of claims 7-9 under 35 U.S.C. § 103(a) as unpatentable over COLOMBO and optionally in view of GRAAS and further in view of EP 0 775 600 to POLZLBAUER.

The Examiner acknowledged that COLOMBO as modified by GRAAS lacks, among other things, the recited fine indent configurations. However, the Examiner asserted that these features are obvious and suggested by POLZLBAUER. The Examiner then

P25264.A02

concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests, inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1.

Again, while it is apparent that COLOMBO discloses a tire having a center groove

P25264.A02

15, center block rows 18 and 19, shoulder block rows 20 and 21, and first and second circumferential grooves 16 and 17 (see Fig. 2), it is clear from a fair review of the disclosure of this document that COLOMBO does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 2 of COLOMBO merely shows separate non-continuous and partially curved diagonal grooves in and between the blocks 18 and 20 and in and between blocks 19 and 21.

Furthermore, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely shows separate non-continuous straight diagonal grooves in and between the blocks 21

P25264.A02

and 20 and in and between blocks 22 and 23.

Additionally, while Applicant acknowledges that POLZLBAUER discloses a tire having a center groove 1, center block rows 4, shoulder block rows 5, and first and second circumferential grooves 3 (see Fig. 1). However, it is clear from a fair review of the disclosure of this document that POLZLBAUER does not disclose, or even suggest, among other things recited in claim 1, that each of the center, the first, and the second circumferential grooves have groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges. To the contrary, it is clear from Fig. 1 that at least the first and second grooves 3 are not a straight circumferential grooves, i.e., grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least amended independent claim 1. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of COLOMBO, GRAAS and POLZLBAUER can render unpatentable the combination of features recited in at least independent claim 1.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner.

P25264.A02

Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claims 7-9 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of COLOMBO, GRAAS and POLZLBAUER discloses or suggests, in combination: that each of the plurality of fine indents of the blocks of the pair of center block rows have one of a stepped configuration and a saw-toothed configuration as recited in claim 7; that each of the plurality of fine indents of the blocks of the pair of center block rows comprise long sections running at least essentially in a crosswise direction and short sections as recited in claim 8; and that the long sections are alternating consecutive long sections as recited in claim 9.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

Over Colombo with Graas and Peschel

Applicant respectfully traverses the rejection of claims 10-12 and 17-21 under 35 U.S.C. § 103(a) as unpatentable over COLOMBO and optionally in view of GRAAS and further in view of DE 197 05 156 to PESCHEL et al.

The Examiner acknowledged that COLOMBO as modified by GRAAS lacks, among other things, the recited indent configurations. However, the Examiner asserted that these

P25264.A02

features are obvious and suggested by PESCHEL. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests, inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1.

Again, while it is apparent that COLOMBO discloses a tire having a center groove 15, center block rows 18 and 19, shoulder block rows 20 and 21, and first and second circumferential grooves 16 and 17 (see Fig. 2), it is clear from a fair review of the disclosure of this document that COLOMBO does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 2 of COLOMBO merely shows separate non-continuous and partially curved diagonal grooves in and between the blocks 18 and 20 and in and between blocks 19 and 21.

Furthermore, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely

P25264.A02

shows separate non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

With regard to PESCHEL, Applicant acknowledges that this document apparently discloses a tire having a center groove 3, center block rows 2, shoulder block rows 1, and first and second circumferential grooves 4 (see Fig. 1). However, it is clear from a fair review of the disclosure of this document that PESCHEL does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 1 of PESCHEL merely shows non-curved diagonal grooves in and between the center block rows and the shoulder block rows.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least amended independent claim 1. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of COLOMBO, GRAAS and PESCHEL can render unpatentable the combination of features recited in at least independent claim 1.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the

P25264.A02

Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claims 10-12 and 17-21 are allowable at least for the reason that these claims depend from an allowable base claim and because these claims recite additional features that further define the present invention. In particular, Applicant submits that no proper combination of COLOMBO, GRAAS and PESCHEL discloses or suggests, in combination: that each of the plurality of fine indents of the blocks of the two shoulder block rows comprise indents arranged in a sinusoidal configuration as recited in claim 10; that each of the plurality of fine indents of the blocks of the two shoulder block rows comprise sinusoidal indents and have different lengths as recited in claim 11; that each of the sinusoidal indents comprises a row of essentially symmetrical wave structures as recited in claim 12; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at an angle of between approximately 70 degrees and approximately 85 degrees relative to the circumferential direction as recited in claim 17; that the plurality of fine indents of the blocks of the pair of center block rows are oriented at an angle of between approximately 80 degrees and approximately 90 degrees relative to the circumferential direction as recited in claim 18; that the plurality of fine indents of the blocks of the two shoulder block rows are oriented at a first angle relative to a radial plane of the tire and wherein the plurality of fine indents of the blocks of the pair of center block rows are oriented at a second angle relative to a radial plane of the

P25264.A02

tire, and wherein the first and second angles comprise values which are between approximately 5 degrees and approximately 15 degrees as recited in claim 19; that the first and second angles comprise a value which is approximately 10 degrees as recited in claim 20; and that the first and second angles comprise a value which is between approximately 5 degrees and approximately 10 degrees as recited in claim 21.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

Over Colombo with Graas and Rodewald

Applicant respectfully traverses the rejection of claim 13 under 35 U.S.C. § 103(a) as unpatentable over COLOMBO and optionally in view of GRAAS and further in view of RODEWALD.

The Examiner acknowledged that COLOMBO as modified by GRAAS lacks, among other things, the recited indent widths. However, the Examiner asserted that these features are obvious and suggested by RODEWALD. The Examiner then concluded that it would have been obvious to one of ordinary skill in the art to combine the teachings of these documents. Applicant respectfully traverses this rejection.

Notwithstanding the Office Action assertions as to what these documents disclose or suggest, Applicant submits that no proper combination of these documents discloses or suggests, inter alia, a tread rubber profile comprising grooves running in a circumferential direction, diagonal grooves, two shoulder block rows and a pair of center block rows

P25264.A02

arranged between the two shoulder block rows, the grooves running in a circumferential direction comprising a center circumferential groove and first and second circumferential grooves arranged on opposite sides of the center circumferential groove, whereby the first circumferential groove is arranged between one of the pair of center block rows and one of the two shoulder block rows and whereby the second circumferential groove is arranged between another of the pair of center block rows and another of the two shoulder block rows, each of the center, the first, and the second circumferential grooves having groove edges such that a plane which is perpendicular to the axis of rotation of the tire is located between the groove edges without intersecting the groove edges, each diagonal groove being a swept groove and/or a continuously curved groove that extends from the center circumferential groove to a respective tire edge, each diagonal groove running essentially continuously up to and beyond the respective tire edge, and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction, as recited in at least independent claim 1.

Again, while it is apparent that COLOMBO discloses a tire having a center groove 15, center block rows 18 and 19, shoulder block rows 20 and 21, and first and second circumferential grooves 16 and 17 (see Fig. 2), it is clear from a fair review of the disclosure of this document that COLOMBO does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and

beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 2 of COLOMBO merely shows separate non-continuous and partially curved diagonal grooves in and between the blocks 18 and 20 and in and between blocks 19 and 21.

Furthermore, while Applicant does not dispute that GRAAS discloses a tire having a center groove 5, center block rows 31 and 32, shoulder block rows 30 and 33, and first and second circumferential grooves 4 and 6 (see Fig. 3), it is clear from a fair review of the disclosure of this document that GRAAS does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 3 of GRAAS merely shows separate non-continuous straight diagonal grooves in and between the blocks 21 and 20 and in and between blocks 22 and 23.

With regard to RODEWALD, Applicant acknowledges that this document appears to disclose a tire having center rows, shoulder block rows, and first and second circumferential grooves (see Fig. 4). However, it is apparent from a fair review of the drawings of this document that RODEWALD does not disclose, or even suggest, among other things recited in claim 1, a tread wherein the diagonal grooves are swept grooves

P25264.A02

and/or continuously curved grooves that extend from the center circumferential groove to a respective tire edge, such that the diagonal grooves run essentially continuously up to and beyond the respective tire edge and each diagonal groove passing through one of the center block rows and one of the shoulder block rows, whereby the diagonal grooves define the blocks in the circumferential direction. To the contrary, Fig. 4 of RODEWALD does not show any diagonal grooves passing through the center rows and shows non-swept and straight non-curved diagonal grooves in the shoulder block rows.

Thus, Applicant submits that the above-noted documents fail to disclose or suggest the features recited in at least amended independent claim 1. Because no proper combination of the above-noted documents discloses or suggests at least the above-noted features of the instant invention, Applicant submits that no proper combination of COLOMBO, GRAAS and RODEWALD can render unpatentable the combination of features recited in at least independent claim 1.

Furthermore, Applicant submits that there is no motivation or rationale disclosed or suggested in the art to modify any of the applied documents in the manner asserted by the Examiner. Nor does the Examiner's opinion provide a proper basis for these features or for the motivation to modify these documents, in the manner suggested by the Examiner. Therefore, Applicant submits that the invention as recited in at least independent claim 1 is not rendered obvious by any reasonable inspection of these disclosures.

Finally, Applicant submits that dependent claim 13 is allowable at least for the reason that this claim depends from an allowable base claim and because this claim recites additional features that further define the present invention. In particular, Applicant

P25264.A02

submits that no proper combination of COLOMBO, GRAAS and RODEWALD discloses or suggests, in combination: that a width of the plurality of fine indents of the blocks of the two shoulder block rows is narrower than a width of the plurality of fine indents of the blocks of the pair of center block rows as recited in claim 13.

Accordingly, Applicant requests that the Examiner reconsider and withdraw the above-noted rejection under 35 U.S.C. § 103(a) and indicate that these claims are allowable over the applied art of record.

CONCLUSION

In view of the foregoing, it is submitted that none of the references of record, either taken alone or in any proper combination thereof, anticipate or render obvious the Applicant's invention, as recited in each of the pending claims. The applied references of record have been discussed and distinguished, while significant claimed features of the present invention have been pointed out.

Accordingly, reconsideration of the outstanding Office Action and allowance of the present application and all the claims therein are respectfully requested and now believed to be appropriate.

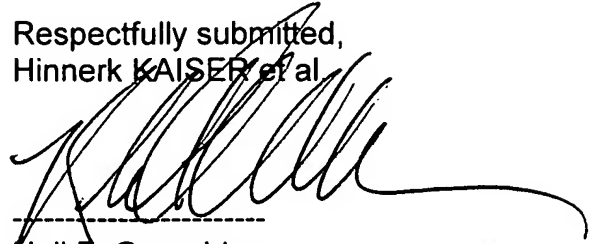
Authorization is hereby given to refund excess payments and charge any additional fee necessary to have this paper entered to Deposit Account No. 19-0089.

P25264.A02

Should there be any questions, the Examiner is invited to contact the undersigned attorney at the number listed below.

February 1, 2006
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
703-716-1191

Respectfully submitted,
Hinnerk KAISER et al.

A handwritten signature in dark ink, appearing to be 'Neil F. Greenblum', written over a horizontal dashed line.

Neil F. Greenblum
Reg. No. 28,394

Robert W. Mueller
Reg. No. 35,043